

CITY COUNCIL

The City of Orange Township, New Jersey

DATE _____

NUMBER 33-2024

TITLE: AN ORDINANCE OF TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF ORANGE TOWNSHIP CHAPTER 185 ENTITLED "STREETS AND SIDEWALKS" TO CREATE ARTICLE XIII ENTITLED "STREET CONSTRUCTION, REPAIR AND MAINTENANCE".
(Sponsored by Council Members Clifford Ross & Tency Eason).

WHEREAS, the City of Orange Township has been progressively repaving the roadways within the City to ensure a strong infrastructure; and

WHEREAS, there have been robust levels of development in the City which has resulted in increased construction equipment on the City's roadways; and

WHEREAS, it has been observed that construction projects within the City have caused damage to roadways that were repaved and/or repaired by the City; and

WHEREAS, a determination has been made that the municipal code must be updated to create a mechanism for repairing these damaged roadways.

NOW THEREFORE, BE IT ORDAINED by the Municipal Governing Body of the City of Orange Township that the municipal code be amended and supplemented as follows:

SECTION 1.

ARTICLE XIII STREET CONSTRUCTION, REPAIR AND MAINTENANCE

§ 185-44. Definitions.

STREETS OF THE CITY – any public street under the jurisdiction of the City of Orange which does not include roads under the jurisdiction of the County of Essex and State of New Jersey.

§ 185-45. Notice to pave or repair.

Any person or corporation causing any type of damage to any part of the streets of the City shall, within 30 days after written notice being given by the Director of Public Works or his designee, pave or repave the street or part of the street of the City of Orange where said paving and repaving has been found to be necessary pursuant to an inspection of the City of Orange or a complaint filed with the City of Orange.

§ 185-46. Time limit for compliance; improvements by City.

The notice as provided for in § 185-45 shall be in accordance with N.J.S.A. 40:65-2 and, in addition to the description of the improvement notice, shall contain a statement that unless the person or corporation causing any type of damage to any part of the streets of the City complete the improvements within 30 days after service of the said notice, the City will make the improvement at the expense of the person or corporation causing any type of damage to any part of the streets of the City.

Strikeouts are deletions. Underlines are added material.



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§ 185-47. Improvements at expense of property owner.

The cost of paving, repaving, curbing and/or recurbing, improving and repairing of the streets of the City shall be at the expense of the person or corporation causing any type of damage to any part of the streets of the City.

§ 185-48. Construction standards.

All streets shall be reconstructed and/or repaired in accordance with the then-current minimum standards as established by the New Jersey Department of Transportation, as set forth by the established by the Municipal Engineer or Director of Public Works.

§ 185-49. Noncompliance; performance of work by City.

If, after the passage of this article and after notice given as herein provided, the person or corporation causing any type of damage to any part of the streets of the City fails to comply with the provisions of the notice, it shall be lawful for the City to cause such improvement to be made under the direction and supervision of the Director of Public Works of the City of Orange and, if the same is necessary, to award one or more contracts for the making of such improvement.

§ 185-50. Violations and penalties.

Any person who violates any of the provisions of this Article shall, upon conviction thereof, be subject to a fine not less than two hundred fifty dollars (\$250) or imprisonment for a period not exceeding six (6) months, or both. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this article.

SECTION 2. Inconsistencies

All other ordinances and parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

SECTION 3. Headings

All headings within this ordinance are for convenience only and are not deemed to be part of this ordinance.

SECTION 4. Effective Date

This ordinance shall take effect after final passage and upon expiration of twenty (20) days following publication unless otherwise provided by resolution of this City Council.

PURPOSE

To amend and supplement the City code to require repairs to City streets caused by property owners.

FISCAL IMPACT

Positive.

Adopted:

Joyce L Lanier
City Clerk

Adrienne Wooten
Council President

Approved by:

Dwayne D. Warren, Esq., Mayor

Dated: _____

ORDINANCE NO. 33-2024

REGULAR MEETING – August 7, 2024

MOTION TO ADOPT: Montague, III

SECOND: Wooten

YEAS: Coley, Eason, Montague, III, Ross & Council President Wooten

NAYS: None

ABSTENTIONS: Hilbert

ABSENCES: Summers-Johnson

PUBLIC HEARING– SECOND READING: September 3, 2024